

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 10-74187

THOMAS F. MURPHY,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER REGARDING FURTHER PROCEEDINGS
ON DEBTOR'S CONTEMPT MOTION**

This case came before the Court for hearing on January 19, 2011 and on March 30, 2011 on a motion filed by Debtor entitled "Motion for Order for Contempt, Damages and Attorney Fees for Willful Violation of the Automatic Stay and Creditor Misconduct" (Docket # 18, the "Motion"). At both the January 19 and March 30 hearings, the Court made certain findings, conclusions, and rulings regarding the Motion. At the conclusion of the March 30 hearing, the Court took the Motion under advisement. On April 5, 2011, the Court issued a written opinion (Docket # 42). For the reasons stated in the Court's written opinion,

IT IS ORDERED that:

1. Debtor Thomas F. Murphy is entitled to recover appropriate relief from Dayna Milbrand under 11 U.S.C. § 362(k)(1), for Dayna Milbrand's willful violation of the automatic stay, as found in the Court's written opinion.
2. No later than April 19, 2011, Debtor must file a written itemization of all "actual damages, including costs and attorney fees," that Debtor claims to have suffered/incurred, due to Dayna Milbrand's willful violation of the automatic stay. *See* 11 U.S.C. § 362(k)(1).
3. No later than May 3, 2011, Dayna Milbrand must file any objection she has to Debtor's itemization and/or the amount of monetary relief Debtor seeks. If no timely objection is

filed, Debtor may file a certificate of no response, and submit an appropriate order granting the relief Debtor seeks.

4. If Dayna Milbrand files a timely objection to Debtor's itemization, the Court will review the parties' filings, and decide whether to schedule a further hearing.

Signed on April 5, 2011

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge